

# Determination and Findings for Economy Act Purchases and Cooperative Agreements and Memoranda of Agreement (MOA)

1. The requirement for [supply, services, etc.] \_\_\_\_\_ that [requiring entity] proposes to place with \_\_\_\_\_ as an inter-agency order under the Economy Act (31 USC 1535) or the Cooperative Agreement Act (31 USC 6305) and/or other statutes (s) ( \_\_\_\_\_ ) has been reviewed and resulted in the following findings:

- a. The proposed acquisition is authorized under the law(s) cited above.
- b. The Portland District Corps of Engineers is authorized to acquire the items ordered above.
- c. Adequate funds are available (See Below)
- d. The action does not conflict with any other agency's authority or responsibility (See FAR Part 8 & DFAR Part 208).
- e. It is in the best interest of the Government to obtain the items ordered from the supplying agency because [check all that apply]:
  - \_\_\_\_\_ (1) Requesting office and organization lacks the resources to do it (if services) on its own.
  - \_\_\_\_\_ (2) Providing office and organization can provide goods or services more efficiently considering time required and/or economically than requester through procurement contract.
  - \_\_\_\_\_ (3) The servicing entity has unique experience or ability not available within DOD.
  - \_\_\_\_\_ (4) It is a statutory requirement to procure the items ordered through the supplying entity.
  - \_\_\_\_\_ (5) The requesting and supplying entities have long-term statutory goals and missions that can only or best be achieved by the parties entering into the proposed agreement.
  - \_\_\_\_\_ (6) Existing statutory authorities make the parties in effect statutory partners in the achievement of their statutory missions and require a long-term partnering arrangement between or among the governmental entities party to the agreement.
  - \_\_\_\_\_ (7) Practical factors in achieving agency missions and statutory goals require that the parties enter into the proposed agreement to achieve the agency missions and goals.
  - \_\_\_\_\_ (8) Other: \_\_\_\_\_
- f. The servicing entity or entities regularly perform the type of work required, and will accept the order and can satisfy the requirement(s).
- g. The items ordered are clearly within the scope of activities of the providing entity, and that entity normally contracts for those supplies or services for itself.
- h. The cost to the District for the requirement, including administrative fees charged by the supplying entities appears to be reasonable. The fees proposed to be paid to the servicing entity do not exceed the servicing entity's actual cost (or estimated costs if actual costs are unknown) of entering into and administering the contract or other agreement under which the order is filled.
- i. The contract administration procedures related to the entity's contract are adequate for District requirements (or the order contains additional contract administration requirements for contract administration procedures that comply with DOD and Army regulations and policies.)
- j. All approvals and authorizations required by law or regulation or policy have been obtained.
- k. The requirement is a bona fide need for the District.

2. Given the above findings, it is hereby determined that it is in the best interest of the Government to place an order for the above identified items with the above identified supplying entity or entities under the legal authority or authorities cited above.

3. APPROPRIATIONS DATA: Amount \_\_\_\_\_  
CITATIONS: \_\_\_\_\_

4. APPROVALS: Legal Sufficiency (Counsel) \_\_\_\_\_ Date: \_\_\_\_\_  
Approving Official or Contracting Officer \_\_\_\_\_ Date: \_\_\_\_\_